

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNIVERSITAS EDUCATION, LLC,)	
)	
Petitioner/Judgment Creditor,)	
)	
v.)	Case No. 14-FJ-05-HE
)	
NOVA GROUP, INC.,)	
)	
Respondent/Judgment Debtor,)	
)	
AVON CAPITAL, LLC,)	
)	
Respondent/Judgment Debtor,)	
)	
ASSET SERVICING GROUP, LLC,)	
)	
Respondent/Garnishee,)	
)	
SDM HOLDINGS, LLC,)	
)	
Respondent/Garnishee,)	
)	
and)	
)	
AVON CAPITAL, LLC, a Wyoming Limited)	
Liability Company,)	
)	
Intervenor.)	

**FIFTH APPLICATION FOR ORDER APPROVING DISTRIBUTION OF SDM
HOLDING, LLC TO ITS SOLE MEMBER, AVON CAPITAL, LLC, IN
RECEIVERSHIP**

Comes now the Receiver, Ryan Leonard, and submits, at the request of the Manager of SDM Holdings, LLC (“SDM”), this fifth Application for an order approving a

distribution from SDM to its sole member, Avon Capital, LLC, a Wyoming limited liability company, in receivership (“Avon Capital”). This requested distribution will be utilized to pay the Receiver’s fees and costs incurred for the months of August, September, October, and November 2022. In support of this Application, the Receiver states as follows:

1. On September 22, 2021, this Court entered an Order appointing the undersigned as the Receiver for Avon Capital [Doc. No. 311].

2. Pursuant to the authority granted the Receiver by this Court, the Receiver exercised its membership rights as to SDM and removed Kathy Kehoe as Manager of SDM and appointed Nicole Jacobsen as Manager of SDM effective November 11, 2021.

3. The Manager of SDM has advised the Receiver of the following facts:

- A. As of January 31, 2023, the balance in the bank account at Kirkpatrick Bank held in the name of ASG, LLC f/b/o SDM Premium (the “Bank Account”) is \$271,338.97;
- B. The anticipated monthly premium payments to be paid from the Bank Account for March 2023 are \$42,116.06;
- C. The anticipated monthly fees for servicing the premium payments and processing death benefits in the month of March 2023 are approximately \$14,244.61;
- D. The Manager’s monthly compensation, which is paid from the Bank Account, is \$2,000.00;
- E. As of March 1, 2023, there are two (2) matured policy benefits due and payable to the Bank Account, which total \$71,538.59;
- F. Following the payment of monthly expenses and receipt of the matured policy benefits, the Bank Account should have a balance more than \$280,000.00.

4. Having evaluated the operational needs related to the Bank Account held at Kirkpatrick Bank, the Manager of SDM advises there is an amount available for a distribution to its sole member, Avon Capital.

5. The Manager proposes to make a distribution to its sole member, Avon Capital, in the amount of \$10,855.00.

6. The amount of \$10,855.00 is the amount of the Receiver's August, September, October, and November 2022 fees and expenses, which were approved by the Court on October 20, 2022 [Doc. No. 426], December 2, 2022 [Doc. No. 443], January 4, 2023 [Doc. No. 447], and February 13, 2023 [Doc. No. 457] respectively.

7. The Manager proposes the amount of \$10,855.00 be paid from the Bank Account to an account at NBC Bank established by the Receiver for this specific purpose.

WHEREFORE, the Manager has evaluated the balance of funds and the future funds necessary to continue operation of the Bank Account and has determined there is an amount available for distribution. Accordingly, the Receiver, at the direction of the Manager of SDM, respectfully requests this Court enter an Order authorizing a distribution from SDM to its sole member, Avon Capital, in receivership, for payment of the Receiver's fees and expenses incurred by the Receiver in August, September, October, and November 2022, which have previously been approved by this Court.

DATED: March 7, 2023.

Respectfully submitted,

s/ Heidi J. Long

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CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2023, I electronically transmitted the attached document to the Clerk of Court using the Electronic Case Filing System for filing. Based on the records currently on file in this case, the Clerk of Court will transmit a Notice of Electronic Filing to those registered participants of the ECF System.

s/ Heidi J. Long

Heidi J. Long